

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

**RESOLUTION OF THE TOWN OF WESTFIELD, COUNTY OF UNION,
STATE OF NEW JERSEY, DELINEATING AN AREA IN NEED OF
REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to delineate an area within the Town as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, Town Planner, Donald B. Sammet, PP/AICP, and Town Engineer, Kris McAloon, PE, had been directed to investigate whether the properties set forth by block, lot and street address attached hereto as Exhibit A (the “**Study Area**”) qualified as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Mr. Sammet and Mr. McAloon prepared a report entitled “*Downtown Westfield Area in Need of Rehabilitation Study*” dated March 25, 2020 which is attached hereto as Exhibit B (the “**Study Report**”); and

WHEREAS, the Study Report concludes that because a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial

maintenance, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on April 14, 2020, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on _____, 2020, the Planning Board returned this resolution and Study Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Governing Body finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the Study Report and the Planning Board's recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. Based upon the facts reported in the Study Report and the recommendation of the Planning Board, the Mayor and Council find that the Study Area, consisting of all of the properties depicted on the attached Exhibit A in the Town of Westfield, meets the eligibility criteria of *N.J.S.A. 40A:12A-14.a(6)* in that a majority of the water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance, for designation as an area in need of rehabilitation, and further finds that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall development of the Town of Westfield in accordance with the requirements of *N.J.S.A. 40A:12A-14*.

2. The Mayor and Council hereby delineates the Study Area as depicted in Exhibit A, and all of the properties therein, as an area in need of rehabilitation (hereinafter, the Study Area shall be the “**Rehabilitation Area**”), which delineation allows the Mayor and Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A. 40A:12A-21, et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area.

3. The Mayor and Council hereby directs the Town Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.

4. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

5. This Resolution shall take effect immediately.